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New Mexico water commission vacates tainted decision to hear oil and gas fracking waste discharge rulemaking

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Today, the Water Quality Control Commission (WQCC) met to consider water watchdogs' [motions to disqualify](#) commissioners who, [investigative reporting](#) revealed, voted under duress from Gov. Michelle Lujan Grisham and New Mexico Environment Department (NMED) Sec. James Kenney to advance an oil and gas industry-written rule allowing discharge of toxic oil and gas wastewater in New Mexico. After more than two hours of impassioned public comment urging the commission to operate ethically and transparently, the WQCC voted 7-4 to vacate its July 8 decision to undertake the oil and gas industry's proposed rulemaking to reverse the brand-new oil and gas wastewater discharge ban. This effectively "resets" the process, with the issue expected to arise again—ideally without the outside political pressure from Gov. Lujan Grisham and her cabinet.

"The commission did the right thing here today by wiping the slate clean and avoiding any appearance of impropriety," said Tannis Fox, senior attorney at the Western Environmental Law Center. "The public takes the issue of clean water, and how dangerous oil and gas wastewater discharge is to our rivers, streams, and lands, seriously. We hope the commission applies this same precautionary approach to any petitions regarding oil and gas wastewater discharge in the future. Today's vote restores trust in the independent water regulatory body."

"The vote of the Commission to vacate the hearing was appropriate and demonstrated a return to integrity in decision making related to protecting the quality of New Mexico's rivers, streams, and groundwater," said Rachel Conn, deputy director of Amigos Bravos. "We commend the Commission for standing up and defending the institutional norms we depend upon for fair and impartial decisions about the future of water in the state."

"New Mexicans put their trust in the commission to base its decisions, without interference, on the technical expertise and independent science from state agencies," said Dale Doremus of the Rio Grande Chapter of the Sierra Club. "This is a critical issue that should only be considered under 100% unimpeachable circumstances. Safeguarding our precious and scarce ground and surface waters from toxic contaminants that can endanger human health and the environment is too important for anything less."

"The people of New Mexico deserve openness and accountability from the commission charged with protecting our water and the vote by the commission today is a step in the right direction."

We appreciate the commission taking a stand to maintain the integrity of this process,” said Haley Jones with Citizens Caring for the Future in Southeast New Mexico.

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